

FINAL TEXT OF ADOPTED REGULATIONS

In the following, underline indicates additional text, and ~~strikethrough~~ indicates deleted text.

Chapter 1. Rules and Regulations of Adult Operations and Programs

Article 1. Behavior

Section 3019 is amended to read:

3019. Identification.

Inmates must carry on their person any identification ~~and privilege~~ card issued for identification purposes, in accordance with institution procedures. Inmates must not mutilate or destroy such cards nor possess the card of another inmate. An inmate must surrender his or her identification card or cards at the request of any employee. Unless a card is being officially recalled, the card(s) will be promptly returned to the inmate when staff's use of the card has been accomplished. An inmate may be charged for replacement of a deliberately mutilated, lost or destroyed card in accordance with section 3011. An inmate may also be charged for replacement of a card if a physical change in the inmate's appearance is a matter of his or her own choice and the change occurs within six months of the issue of a new or replacement card. An inmate will not be charged for replacement of a card because of a physical change in the inmate's appearance over which the inmate has no control.

Note: Authority cited: Section 5058, Penal Code. Reference: Section 5054, Penal Code.

Article 3.5. Credits

3044. Inmate Work Groups.

Subsections 3044(a) through 3044(c)(6)(A) are unchanged.

Subsection 3044(c)(6)(B) is deleted:

~~(B) An inmate removed from the general population for disciplinary or administrative reasons shall surrender their privilege card to staff.~~

Subsections 3044(c)(7) through 3044(c)(8)(A) are unchanged.

Subsection 3044(c)(8)(B) is amended to read:

(B) The inmate's continued eligibility, ~~and possession of the appropriate privilege card.~~

Subsections 3044(c)(8)(C) through 3044(d)(1)(C) are unchanged.

Subsection 3044(d)(2) is deleted:

~~(2) Any inmate classified and assigned to Privilege Group A may receive a red CDC 130 Privilege Card with photo.~~

Notice to Printer: Delete picture of the CDC Form 130 (7-88), Privilege Card

Existing subsection 3044(d)(3) is renumbered 3044(d)(2):

(32) Privileges for Privilege Group A are as follows:

Renumbered subsections 3044(d)(2)(A) through 3044(d)(2)(G) are unchanged.

Subsections 3044(e) through 3044(e)(1)(B) are unchanged.

Subsection 3044(e)(2) is deleted:

~~(2) Any inmate in Privilege Group B shall not be issued a privilege card.~~

Notice to Printer: Delete picture of the CDC Form 130 (7-88), Privilege Card

Existing subsection 3044(e)(3) is renumbered 3044(e)(2):

(32) Privileges for Privilege Group B are as follows:

Renumbered subsections 3044(e)(2)(A) through 3044(e)(2)(G) are unchanged.

Subsections 3044(f) through 3044(f)(1)(C) are unchanged.

Subsection 3044(f)(2) is deleted:

~~(2) Any inmate in Privilege Group C shall not be issued a privilege card.~~

Existing subsection 3044(f)(3) is renumbered 3044(f)(2):

(32) Privileges and non-privileges for Privilege Group C are as follows:

Renumbered subsections 3044(f)(2)(A) through 3044(f)(2)(E) are unchanged.

Subsection 3044(g) to 3044(g)(1) is unchanged.

Subsection 3044(g)(2) is deleted:

~~(2) An inmate in Privilege Group D shall not be issued a privilege card.~~

Existing subsection 3044(g)(3) is renumbered 3044(g)(2) and amended to read:

(32) Any inmate removed from the general population due to disciplinary or administrative reasons, shall forfeit their ~~privilege card and~~ privileges within their general population privilege group pending review by a classification committee.

Existing subsection 3044(g)(4) is renumbered 3044(g)(3):

(43) Privileges and non-privileges for Privilege Group D are as follows:

Renumbered subsections 3044(g)(3)(A) through 3044(g)(3)(E) are unchanged.

Subsection 3044(h) to 3044(h)(1) is unchanged.

Subsection 3044(h)(2) is deleted:

~~(2) An inmate in this category shall not be issued a privilege card.~~

Existing subsection 3044(h)(3) is renumbered 3044(h)(2):

(32) Privileges and non-privileges for Privilege Group U are:

Renumbered subsections 3044(h)(2)(A) through 3044(h)(2)(F) are unchanged.

Subsection 3044(i) is deleted:

~~(i) Inmates shall retain in their possession any privilege card issued them for eligibility to receive designated privileges. Each inmate shall present the card upon staff request in order to receive or participate in an authorized privilege, and may be denied the privilege if the card is not presented.~~

NOTE: Authority cited: Sections 2700, 2701 and 5058, Penal Code. Reference: Sections 2932, 2933, 2933.05, 2933.3, 2933.6, 2935, 5005, 5054 and 5068, Penal Code; and In re Monigold, 205 Cal.App.3d 1224 (1988).

Subchapter 2. Inmate Resources

Article 1. Canteens

3091. Inmate Canteen Operation.

Subsections 3091(a) through 3091(b)(4) are unchanged.

Subsection 3091(c) is deleted:

~~(c) Inmates who do not present their privilege identification card when purchasing IWF Forms 22, Canteen Yard Cards (Rev. 8/90), or merchandise shall be limited to one fourth the maximum monthly draw.~~

Existing subsections 3091(d) through 3091(d)(4) are renumbered 3091(c) through 3091(c)(4):

~~(d)~~ When purchasing merchandise, inmates shall be required to:

NOTE: Authority cited: section 5058, Penal Code. Reference: Sections 5005, 5006 and 5054, Penal Code.

Article 3. Library

3120. Inmate Library Requirements.

Subsections 3120(a) through 3120(c) are unchanged.

Subsection 3120(c)(1) is amended to read:

(1) Present photo identification ~~(state identification or privilege card)~~ as required.

Subsections 3120(c)(2) through 3120(c)(3) are unchanged.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections ~~5054~~, 2600, ~~and~~ 2601, and 5054, Penal Code; Toussaint v. McCarthy, 801 F.2d 1080 (9th Cir. 1986); and Bounds v. Smith, 97 S.Ct. 1491 (1977), 430 U.S. 817.